

### REMARKS

Applicants thank Examiner Patel for the analysis contained in the April 1, 2005 Office Action. The analysis provides insight into the reasoning of the Examiner.

#### Claim Rejection – 35 U.S.C. § 102

In the Office Action, the Examiner maintained the rejection under 35 U.S.C. § 102 as being anticipated by Le.

The teachings of the Le reference cannot be equated to the invention claimed in the present application. Applicants understand the Examiner as suggesting that the distinguishing limitations added to the wording of the Claims are being read merely as "intended use" and are interpreted as such. Applicants have, therefore, removed the "adapted to" wording from the claim limitations.

Claim 1 calls for "the first circumferential seal performing a sealing function of preventing fluids from migrating along the shaft from a first region of the body to a second region of the body." Claim 1 also states "the second circumferential seal performing the same sealing function as the first circumferential seal, and serving as a redundant back up seal until the first circumferential seal experiences seal failure."

It is respectfully submitted that the Examiner has not given sufficient weight to the limitation in the claim that states the first circumferential seal prevents fluids migrating from "a first region" to "a second region." This is fundamental to the analysis, as every seal is positioned for a purpose of preventing migrations of fluids along a shaft from one region to another. One can always examine a patent reference and determine an intended sealing function. With respect to seal 70 of the Le reference, the first region is chamber 18 and the second region is chamber 66 on a first side of piston 64. The purpose of the seal 70 is to prevent fluids from migrating from the first region or chamber 18 to the second region or chamber 66. With respect to seal 74 of the Le reference, the first region is chamber 66 on second side of piston 64 and the second region is

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

atmosphere. The purpose of the seal 74 is to prevent fluids from migrating from the first region or chamber 66 to the second region (atmosphere). It can be seen from this analysis that the seal 70 and the seal 74 of the Le reference are sealing different regions and should not, therefore, be equated to the present invention merely because they are positioned in spaced relation at opposite ends of the same shaft. To avoid any possible misinterpretation of the intended meaning of the language of the claim, Applicants have added a limitation indicating that the second region is "positioned immediately adjacent to the first region." It is respectfully submitted that the Le reference does not fall within the limitations of the claims, as amended.

In view of the foregoing amendments and arguments, it is respectfully submitted that the present application is now in condition for allowance. Applicants, therefore, request the early issuance of a Notice of Allowance.

Respectfully submitted,

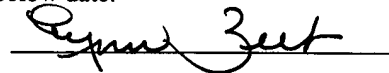
CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>



Kevan L. Morgan  
Registration No. 42,015  
Direct Dial No. 206.695.1712

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to **Mail Stop AF**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: June 1, 2005



KLM:lpz

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100